

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<hr/>	:	<b>Chapter 11</b>
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<b>DIGITALSPEED COMMUNICATIONS, INC.,</b>	:	<b>Case No. 25-10500 (AMC)</b>
	:	
<b>Debtor.</b>	:	
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**DEBTOR’S MOTION FOR THE SCHEDULING  
OF AN EXPEDITED HEARING ON “FIRST DAY” MOTIONS**

DigitalSpeed Communications, Inc. (the “Debtor”), by and through its proposed counsel, Karalis PC, hereby moves this Court for entry of an Order scheduling an expedited hearing on various “First Day” Motions (the “Motion”), and in support thereof, aver as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A), (M) and (O).
2. Venue is proper in this Court pursuant to 18 U.S.C. § 1409(a).

**BACKGROUND**

3. On the date hereof (the “Petition Date”), the Debtor filed a voluntary petition for relief under Title 11 of the United States Code (the “Bankruptcy Code”).
4. The Debtor is operating its business and managing its property as a debtor-in-possession pursuant to §§ 1107 and 1108 of the Bankruptcy Code.
5. A description of the Debtor’s business and the facts precipitating the filing of its Chapter 11 proceeding is set forth in the Declaration of Adam H. Pasternack in Support of Chapter 11 Petition and First Day Motions (the “Pasternack Declaration”) filed contemporaneously herewith. Those facts, to the extent relevant, are incorporated herein by reference.
6. On the Petition Date, the Debtor filed the following motions (collectively, the “First

Day Motions”):

- a. Motion of Debtor for an Order (A) Authorizing the Debtor to Pay Certain Pre-Petition (I) Wages, Salaries, and Other Compensation and (II) Reimbursable Employee Expenses; (B) Confirming that the Debtor may Continue Pre-Petition Employee Programs in the Ordinary Course of Business; and (C) Directing Banks and Other Financial Institutions to Honor all Related Checks and Electronic Payment Requests;
- b. Motion of Debtor for Entry of an Order Providing Utility Companies with Adequate Assurance of Payment Pursuant to 11 U.S.C. § 366 and
- c. Motion of Debtor for an Order Authorizing and Approving Maintenance and Use of Existing Bank Accounts and Use of Existing Books, Records, and Business Forms.

**RELIEF REQUESTED AND BASIS THEREFOR**

7. Each of the First Day Motions relates to a time critical aspect of the Debtor’s business which will result in irreparable harm to the Debtor, its estate and others if the relief requested therein is not granted on an expedited basis, or a related matter necessary for the efficient administration of this chapter 11 case.

8. The Debtor employs two (2) employees which are paid on a bi-weekly basis.

9. The next payroll is paid to employees on February 14, 2025 for the period from February 1, 2025 through February 14, 2025. As such, the Debtor requests a prompt hearing on authority to pay its pre-petition wages as soon as possible.

10. In addition, as set forth in the Pasternack Declaration, the Debtor relies heavily upon utility companies for its operations. As such, the Debtor requests a prompt hearing in order to provide adequate assurance of payment to its utility companies so that its operations will not be interrupted.

11. Quite simply, if the Debtor cannot obtain the relief requested in the First Day Motions in a timely fashion, its operations will be compromised.

12. Maintaining the Debtor's business as a going concern is vital to preserving the value of the Debtor's estate for creditors and other parties-in-interest and the relief requested in the First Day Motions is necessary to do so.

13. Consequently, the Debtor requests a hearing on the First Day Motions **on or before February 12, 2025**.

14. Upon the entry of an Order granting the instant Motion (the "Expedited Order"), proposed counsel to the Debtor is prepared to serve (i) this Motion, (ii) the Expedited Order, (iii) Notice of Date of Expedited Hearing, Matters that will be heard at the Expedited Hearing and How to Respond (in the form attached hereto as Exhibit "A" and made a part hereof), (iii) the First Day Motions, and (iv) the Pasternack Declaration via e-mail, facsimile transmission, Federal Express or overnight mail upon: (i) the Office of the United States Trustee, (ii) all other parties affected by the Motions (by serving their counsel, if known), and (iii) the Debtor's twenty (20) largest unsecured creditors.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

**WHEREFORE**, the Debtor respectfully requests that the Court enter an Order granting the Motion and for such other relief as the Court deems just and appropriate under the circumstances.

**Respectfully submitted,**

**KARALIS PC**

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*Proposed Attorneys for the Debtor*

Dated: February 6, 2025